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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.  
MARCUS.

## Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,  
*et al.*,

### Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:  
22CV021840]

**STIPULATION TO EXTEND  
JURISDICTION OVER  
CONDITIONALLY DISMISSED  
DEFENDANT PLANT PRODUCTS &  
SUPPLY COMPANY and  
INTERVENOR INSURERS ON  
BEHALF OF THEIR SUSPENDED  
INSURED PLANT PRODUCTS &  
SUPPLY COMPANY; ORDER**

Courtroom: 02, 4<sup>th</sup> Floor  
District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022  
Removed to NDCA: December 21, 2022  
Trial Date: September 9, 2024.

**STIPULATION TO EXTEND JURISDICTION OVER CONDITIONALLY DISMISSED DEFENDANT PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS & SUPPLY COMPANY [Case No. 4:22-cv-09058-HSG]**

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that Plaintiffs Michael R. Marcus and Victoria L. Marcus  
3 (“Plaintiffs”) and PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR  
4 INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS &  
5 SUPPLY COMPANY (“Defendant” collectively) hereby stipulate as follows:

6 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and  
7 Loss of Consortium – Asbestos in the Superior Court of the State of California, County of  
8 Alameda Case No. 22CV021840.

9 2. On December 21, 2022, the above action was removed to the United States  
10 District Court, Northern District of California, Case No. 4:22-09058.

11 3. On August 21, 2024, Plaintiffs and Defendant reached an agreement of all claims  
12 in this action.

13 4. On August 28, 2024, the Court granted a conditional dismissal with prejudice as  
14 to INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT  
15 PRODUCTS & SUPPLY COMPANY, with the Court retaining jurisdiction for 60 days.

16 5. On September 13, 2024, the Court granted a conditional dismissal with prejudice  
17 as to PLANT PRODUCTS & SUPPLY COMPANY, with the Court retaining jurisdiction for 60  
18 days.

19 6. While all terms of settlement are agreed upon, the terms of settlement are not yet  
20 perfected. Plaintiffs and Defendant agree that this matter should not be litigated due to the  
21 agreed-upon resolution.

22 7. Therefore, Plaintiffs and Defendant stipulate and request that this Court retain  
23 jurisdiction over the matter as it pertains to Defendant PLANT PRODUCTS & SUPPLY  
24 COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED  
25 INSURED PLANT PRODUCTS & SUPPLY COMPANY, for an additional forty-five (45)  
26 days.

1 DATED: October 23, 2024

Maune Raichle Hartley French & Mudd LLC

2 By: \_\_\_\_\_

3 Rabiah N. Oral  
Attorney for Plaintiffs

4

5 DATED: October 23, 2024

BERKES CRANE SANTANA & SPANGLER LLP

6 By: \_\_\_\_\_

7 Viiu Spangler  
K. Lynn Finateri Silbiger

8 K. Lynn Finateri Silbiger  
Rebecca A. Bellow  
9 Attorney for Plant Products & Supply  
Company and Intervenor Insurers on Behalf  
of Their Suspended Insured Plant Products  
10 & Supply Company

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12 **LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER  
PAPERS**

13 In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified  
14 above, and on whose behalf the filing is submitted, concur in the filing's content and have  
15 authorized the filing.

16 DATED: October 23, 2024

By: \_\_\_\_\_

Rabiah N. Oral, Esq.  
Attorney for Plaintiffs

## **ORDER**

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that the terms of settlement between PLAINTIFFS and Defendant PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS & SUPPLY COMPANY are to be perfected within forty-five (45) days of this order. The Court retains jurisdiction over the matter as it pertains to Defendant PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS & SUPPLY COMPANY, for forty-five (45) days from the date of this order.

IT IS SO ORDERED.

DATED: 10/24/2024

Haywood S. Gilliam, Jr.  
Hon. Haywood S. Gilliam, Jr.  
UNITED STATES DISTRICT COURT JUDGE